

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

KING & BALLOW,

Plaintiff,

v.

MICHAEL S. THOMPSON,

Defendant.

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Civil No. 3:08-cv-01024  
Judge Trauger

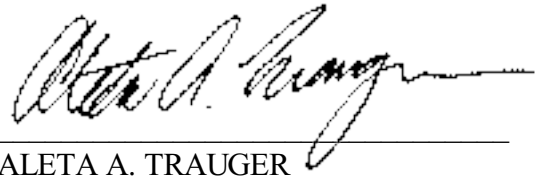
**ORDER**

On November 2, 2017, the magistrate judge issued a Report and Recommendation and Certification of Facts (Docket No. 213), to which the defendant sent by email an untimely “Response” (Docket No. 216), to which the plaintiff responded (Docket No. 217). The defendant’s Response, which has been docketed as an Objection to the Report and Recommendation is OVERRULED as untimely filed. The Report and Recommendation is therefore ACCEPTED and made the findings of fact and conclusions of law of this court. For the reasons expressed therein, it is hereby ORDERED that defendant Michael S. Thompson shall appear before Judge Trauger in person on Friday, February 2, 2018 at 4:00 p.m. to show cause why he should not be adjudged in contempt. Should Mr. Thompson not appear for this hearing, a bench warrant will be issued for his arrest, requiring the United States Marshal to arrest him, take him into custody, and transport him to this district for a contempt hearing. Should he be held in contempt, the court will consider imposing all of the sanctions suggested by the magistrate judge in her Report and Recommendation (Docket No. 213 at 10).

It is further ORDERED that, by January 5, 2018, the plaintiff shall file with the court all discovery requests made of the defendant, along with his responses thereto, that form the basis for the plaintiff's request for contempt. The magistrate judge is requested to analyze these documents and, by January 22, 2018, file a Report and Recommendation that details specifically the ways in which the defendant has failed to adequately respond to the plaintiff's discovery requests.

It is so **ORDERED**.

ENTER this 2<sup>nd</sup> day of January 2018.

A handwritten signature in black ink, appearing to read 'Aleta A. Trauger', is written over a horizontal line.

ALETA A. TRAUGER  
U.S. District Judge